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FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Report of the Secretary-General

I. INTRODUCTION

1. The General Assembly, in its resolution 49/251 of 20 July 1995, decided to appropriate to the Special Account for the International Tribunal for Rwanda (hereinafter referred to as "the Tribunal") a total amount of US$ 13,467,300 gross ($12,914,900 net) for the period to 31 October 1995, inclusive of the commitment authority of $2,914,900 authorized by the Advisory Committee on Administrative and Budgetary Questions (hereinafter "the Advisory Committee").

2. On 6 November 1995, in the report of the Secretary-General (A/C.5/50/16), the General Assembly was advised that owing to the delays in attaining a fully operational phase, the funding appropriated for the period up to 31 October 1995 would be sufficient to meet the requirements of the Tribunal for Rwanda up to 31 December 1995. In addition, the Secretary-General advised that the proposed budget for 1996 would be provided to the General Assembly at its fiftieth session.

3. In his report (A/C.5/50/47) of 14 December 1995, the Secretary-General again advised the General Assembly of the delays experienced by the Tribunal in obtaining a fully operational phase, and reported that it had not been possible to prepare detailed estimates of the requirements of the Tribunal for 1996. Consequently, that report presented an interim maintenance budget for the Tribunal for the period from 1 January to 31 March 1996, pending submission of a detailed budget for the full year 1996.

4. The General Assembly, in its resolution 50/213 of 23 December 1995, decided to appropriate to the Special Account for the Tribunal an amount of $7,609,900 gross ($7,090,600 net) for the period from 1 January to 31 March 1996, without prejudice to the comments and recommendations the Advisory Committee might make following its review of the budget for the full year 1996.

5. The present report contains detailed requirements of the Tribunal for the full year 1996. These amount to a total of $38,770,900 and include proposals for 404 posts, reflecting an increase of 241 posts over the authorized staffing table for 1995. This estimate is inclusive of the amount of $7,609,900 gross ($7,090,600 net) previously authorized by the General Assembly in its resolution 50/213.

6. The Assembly had also decided in its resolution 49/251 that appropriations for the biennium 1996-1997 under the Special Account for the Tribunal should be financed equally through a cost-sharing arrangement in accordance with the scale of assessments for the year 1996 and the credits arising from the budget of the United Nations Assistance Mission for Rwanda (UNAMIR). It is assumed that this 50/50 cost-sharing arrangement for the financing of the Tribunal will continue to be operative in view of the end of the mandate of UNAMIR.

II. RECENT DEVELOPMENTS

A. The Chambers

7. On 30 June 1995, the six Trial Chamber judges and the five Appeals Chamber judges held the first plenary session of the Tribunal at The Hague. At that inaugural session the judges adopted the Rules of Procedure and Evidence of the Tribunal and elected the President and Vice-President of the Tribunal for a two-year term. The President assigned the judges to serve in the two Trial Chambers and also assigned the judges to review indictments during the period from October to December 1995.

8. From 27 to 30 November 1995, Judge Pillay, in Chambers at the headquarters of the Tribunal, reviewed the first indictment which the Prosecutor had submitted to the Registrar on 22 November 1995. Judge Pillay confirmed the indictment and signed the order and the warrants of arrest of the eight accused in the indictment. The warrants of arrest were served by the Registrar.

9. The second plenary session of the Tribunal was held in Arusha from 8 to 12 January 1996. During that time the judges discussed and adopted the Directive on assignment of defence counsel and the Rules governing conditions of detention of persons awaiting trial. They also discussed and adopted amendments to several provisions of the Rules of Procedure and Evidence of the Tribunal.

10. On 10 January 1996, the second Trial Chamber examined an application presented by the Prosecutor concerning the deferral of investigations and prosecutions conducted by Belgium on three suspects currently detained in that country. On 11 January 1996, the second Trial Chamber decided formally to request Belgium to defer to the competence of the Tribunal the criminal proceedings concerning the three Rwandan citizens.

B. The Prosecutor

11. The first year of the Tribunal's existence, 1995, was devoted to the setting up of the Office of the Prosecutor (OTP) in Kigali. In many ways, the start-up of the OTP for the Tribunal for Rwanda paralleled the start-up of the OTP of the International Tribunal for the former Yugoslavia in 1994. Time was spent laying the essential groundwork for an operational Prosecutor's office: creating an office structure, establishing operational procedures and office systems, defining and implementing an investigative and prosecutorial strategy; recruiting and selecting qualified staff; selecting and equipping an office in Kigali; and establishing a working relationship with the Government of Rwanda as well as with other Member States, organizations of the United Nations system, and non-governmental organizations (NGOs).

12. From its inception, the Prosecutor has indicated that, like the International Tribunal for the former Yugoslavia, the Tribunal for Rwanda would focus its investigations and prosecutions on those most responsible for the mass killings that took place in Rwanda in 1994, targeting those in leadership positions. Although the Prosecutor's base of operations is in Kigali, preliminary indications are that extensive investigative work will be conducted outside Rwanda.

13. On 22 November 1995, the Prosecutor submitted the first indictment for the Tribunal. The indictment contained evidence relating to eight accused and to four massacre sites, all in the Prefecture of Kibuye in Rwanda. On 12 December 1995, the indictments were announced.

C. The Registry

14. Upon assuming his duties on 8 September 1995, the Registrar undertook a variety of activities which were necessary for the Tribunal to begin work at its seat in Arusha. The Registrar undertook, inter alia, the negotiation and conclusion of the lease agreement for the Tribunal headquarters; acquisition of necessary equipment; and recruitment of staff members required for the operation of the Tribunal.

15. Under the terms of the Lease Agreement between the Tribunal and the Arusha International Conference Centre (AICC), the Tribunal is to occupy its headquarters in Arusha in two phases. During the first phase the Registry and the Chambers were located temporarily in the area of the AICC known as Simba Hall. By 27 November 1995, both the Registry and the Chambers were functioning from this temporary location. The second phase is the remodelling of the section of AICC called Block B, where both the Registry and the Chambers of the Tribunal will be located permanently.

16. Priority has been assigned to the construction of a courtroom for use in March 1996 and to the provision of suitable permanent office space for both the Chambers and the Registry. The construction of the two permanent courts envisaged for the Tribunal would begin in tandem. The work in Block B is

projected to be completed by July 1996. Simba Hall will then be used exclusively by the Office of the Prosecutor.

17. Consultations are being held with the Government of the United Republic of Tanzania on matters relating to detention facilities for the Tribunal. A general agreement was reached that the Tribunal detention facilities will be located within the existing compound of the Government prison at Arusha. The Tribunal's detention facilities will, however, have their own separate yard within the compound and a separate security system provided by the Tribunal. Details of the construction of these facilities are currently being discussed, and the estimated cost has been included in the present budget of the Tribunal. Pending completion of the facilities late in 1996, as per amended rule 40 of the Rules of Procedure and Evidence, all accused persons, when arrested, will have to be placed under custody in detention facilities to be provided by other Member States, able and willing to offer such facilities. These Member States may consequently require reimbursement for the use of their facilities.

18. The Registry has made progress during 1995. However, further challenges are ahead, e.g., the setting up of a witness protection scheme, construction of detention facilities in Arusha, the completion of the furnishing and remodelling of its offices in Arusha and the establishment of adequate translation facilities.

III. WORK PROGRAMME

19. It is anticipated that the Tribunal will be in regular session throughout 1996. Further, on the basis of experience gained by the Tribunal for the former Yugoslavia in 1995, it is expected that the Appeals Chamber, considering matters of the Tribunal for Rwanda, will also be in session in 1996.

20. While it is difficult to predict with any precision the number of trials on the basis of the status of current investigations, it is anticipated that the Tribunal will hold 12 trials in 1996.

IV. FINANCIAL REQUIREMENTS FOR 1996

A. The Chambers

Activities

21. Much of the activities of 1995 focused on the establishment of procedures governing judicial proceedings by the Chambers and the regulatory framework for the activities of the Tribunal as a whole, including the adoption of Rules of Procedure and Evidence and the hearing of cases. Based on the experience to date, it is expected that issues requiring court proceedings will continue to arise each month as the number of indictments increases.

Resource requirements

Salaries and allowances of judges

22. The estimated requirement of $797,300 relates to the salary of six judges, and the special allowance for the President of the Tribunal and Vice-President when acting as President. It is based on the proposals outlined in the report of the Secretary-General on conditions of service and allowances of the members of the Tribunal for the former Yugoslavia (A/C.5/49/11) and takes into account the recommendation of the Advisory Committee (A/49/7/Add.12).

Common costs of judges

23. A provision of $143,700 is requested for common costs of judges, which includes installation costs ($131,700) and removal of household effects ($12,000). It is anticipated that all six judges will have taken up residence in Arusha in early 1996.

Temporary posts

24. The estimated requirement of $282,200 relates to salaries and common staff costs of six new posts at the P-2 level for legal assistants and six General Service (Other level) posts (3 new and 3 conversion from Local Level).

25. The legal assistants would assist the judges in undertaking legal research and preparing their opinions. Further, each of the six judges would require secretarial support (General Service (Other level) posts), which would also entail the responsibility for maintenance of confidential files and records of the judge.

26. Throughout the present report, support posts in Arusha and Kigali are differentiated between those with international service conditions (General Service category) and those for which local conditions of service would apply (Local Level).

Consultants

27. An estimate of $30,000 would provide for the payment of consultants/experts who would be used to assist the Tribunal in dealing with special legal issues that may arise. The cost of consultants has been estimated at $500 per day, including travel, for a total of 60 work days per year.

Travel

28. Estimated requirements of $91,100 would provide for travel of the President to The Hague and New York Headquarters for consultations and attendance at the General Assembly ($8,500) and for travel of the appeals judges to attend plenary sessions and conduct appeal court sessions in Arusha ($82,600).

B. Office of the Prosecutor

Activities

29. The basic structure of the Office of the Prosecutor for the Tribunal for Rwanda mirrors that of its sister, the Tribunal for the former Yugoslavia, and will consist of five sections: Immediate Office of the Prosecutor, Investigations, Prosecution, Legal Services, and Information Management and Records. As stated in the Statute of the Tribunal for Rwanda, the Prosecutor for the Tribunal for the former Yugoslavia will also serve as the Prosecutor for the Tribunal for Rwanda. He and his immediate office are based in The Hague.

30. The largest of the five sections is the Investigations Section. Its staff comprises experienced senior and junior investigators, lawyers, intelligence analysts, advisers and scientific experts. The section will comprise 10 multidisciplinary teams (9 investigative teams and a strategy team), a forensic unit and interpretation services, all based in Kigali.

31. The Prosecution Section is staffed by experienced senior trial advocates, legal advisors and researchers. This section is responsible for the independent review of prosecution briefs prepared and submitted by Investigations personnel, the finalization of indictments and the presentation of prosecutions before the judges of the Tribunal.

32. The Legal Services Section provides services to the Investigations and Prosecution Sections of both tribunals. The section includes legal officers with expertise in international, criminal and comparative law to provide a range of legal advice on specialized topics. The guiding principles in this process are the need to ensure a consistent legal approach by the two tribunals, to minimize duplication of effort, to conduct legal research in the most effective and efficient manner and to provide on-the-spot legal advice to both tribunals.

33. The Information Management and Records Section is responsible for the receipt, processing and archiving of all information, evidence and other material, including correspondence, received or generated by all sections of the Office. The procedures involved with these activities are labour-intensive and involve processing each page of each document, photocopying and, most importantly, indexing of documents to ensure that they can be easily located. Each page of each document is numbered, scanned and stored electronically. The section is also responsible for the maintenance and development of the software programmes used in the Office of the Prosecutor and converts databases provided by other organizations to the Office of the Prosecutor, thus making the data gathered by these groups more readily available to the investigators.

34. In addition, the section is responsible for the maintenance and development of a structured database in the Office of the Prosecutor. This database is an essential tool for the investigators. Pending the completion of suitable premises at the headquarters of the Tribunal in Arusha, the information management system will be based in The Hague to ensure security and durability. In the interim, for easy accessibility, smaller systems will be maintained in Kigali and Arusha.

35. Based on preliminary evidence, the Office of the Prosecutor expects to present no fewer than six indictments in 1996, with each indictment involving from 1 to 10 accused.

Resource requirements

Staff costs

36. An amount of $9,978,300 is requested to provide for the salary and common staff costs of the continuation of 99 temporary posts (1 D-2, 1 D-1, 3 P-5, 10 P-4, 50 P-3, 32 P-2/1, and 2 General Service (Other) posts), reclassification of 3 posts (D-1 to P-5), conversion of 12 Local Level posts to General Service (Other level), and the establishment of 74 new posts (1 P-5, 24 P-4, 8 P-3, 20 P-2/1, 2 General Service (Principal level) and 14 General Service (Other level) posts).

37. Immediate Office of the Prosecutor. This office, based in The Hague, would consist of a P-3 Coordinator, a Personal Assistant at the General Service (Principal) level and secretarial support at the General Service (Other) level. The functions of the Coordinator are to ensure that the Kigali and Arusha offices are fully informed of decisions made by the Prosecutor, that all three branches are fully aware of each others' actions and that decisions are effectively coordinated and uniformly implemented. Further, the office provides coordination between the Registry and the Appeals Chamber based in The Hague.

38. Investigations Section. This section is headed by a Chief at the D-1 level and comprises nine multidisciplinary investigative teams. Each team will consist of a team leader (P-4) and six investigators (3 P-3 and 3 P-2). In addition, a team of nine legal experts (P-4) would provide legal expertise and ensure that investigations are carried out according to established legal procedures, act as co-counsel, provide a link between the investigative teams and the trial attorneys and assist the trial attorneys in the preparation of the indictments. The team leaders will report to three Investigator Commanders (P-5 level), with each Commander supervising three teams. Six General Service (Other) level posts are proposed to provide secretarial support to the Investigations Section.

39. It is proposed to establish a Strategy Team, led by the Deputy Prosecutor with the Director of Investigations as a member, to ensure that the investigative work is carried out in an organized manner and that resources are used efficiently. The team would ensure that the large amount of information received regularly is processed, reviewed and analysed and that a strategy is developed and given to the investigative teams. It is proposed that the strategy team would consist of six investigators (1 P-4, 3 P-3 and 2 P-2 level posts).

40. Forensic analysis is critical to the investigation of the Tribunal. It is proposed to establish a Forensic Unit to undertake scientific analysis relating to the mass murders. Four posts are proposed: a Medico-Legal Investigations Director, a Senior Forensic Investigator and a Statistical/Demographic Advisor (3 P-4) and a Forensic Investigator (1 P-3).

41. The following posts are proposed under Interpretation Services: Translator/Interpreter (10 P-4, 19 P-3 and 8 P-2), Proofreader (1 General Service (Principal)), and Text Processing Operator (1 General Service (Other)). Interpretation services are essential to the judicial process as almost all victim and witness interviews are conducted through interpreters. Further, documents, videos and tapes regularly received by the Office of the Prosecutor must be translated to enable assessment for further investigation or inclusion in the briefs of evidence. The local language interpreters would accompany the investigative teams into the field to undertake investigations and would serve, as required, as interpreters for the witnesses and defence during the court hearings in Arusha.

42. Prosecution Section. This section would consist of 18 posts (1 D-2, 4 P-5, 3 P-3, 4 P-2 and 6 General Service (Other)). The Deputy Prosecutor (1 D-2) would head the Prosecutor's Office in Kigali. He would be assisted by three Trial Attorneys (3 P-5), an International Legal Expert (1 P-5), three Assistant Trial Attorneys (3 P-3), and four Case Management, Witness Liaison, Information Management/Litigation and Physical Evidence officers (4 P-2). Further, six General Service (Other level) posts would be required to provide secretarial support to the section.

43. Legal Services Section. In accordance with the agreement reached between the Prosecutor and the Registrar of the Tribunal, at the discretion of the Prosecutor, the Legal Services Section currently provides services to both the Tribunal for Rwanda and the Tribunal for the former Yugoslavia. Requirements for this section have previously been costed solely in the budget for the Tribunal for the former Yugoslavia. However, owing to the increasing requirements related to the Tribunal for Rwanda, resources are requested for two temporary posts (1 P-4 and 1 P-3) to augment the section.

44. Information and Records Management Section. Pending the completion of suitable facilities at the headquarters of the Tribunal in Arusha, the main centre for this section would be based in The Hague. In the interim, two small centres would be established at Kigali and Arusha. At The Hague the estimated requirements are a Chief (1 P-4), Records Management Officers (1 P-3 and 1 P-2), Data Processors (8 P-2) and clerical support for photocopying, indexing and computer data entry (10 General Service (Other)). Further, the Kigali and Arusha offices would each require a Records Management Officer (2 P-3), an Assistant Records Management Officer (2 P-2) and a total of two clerical support staff (2 General Service (Other)), one each in Arusha and Kigali.

Consultants and experts

45. Resources in the amount of $1,454,000 would provide for professional expert advice on evidence brought before the Tribunal, including the need for forensic examination of exhibits and provision of expert testimony. Specifically, this would cover the cost of mapping of mass graves ($116,000), which involves one forensic and one cartographic consultant for a six-month period; forensic experts for mass grave exhumation ($750,000); statistical and demographic investigations ($456,000); and testifying by expert witnesses ($132,000).

Travel

46. Resources estimated at $750,000 are requested to provide for travel within Rwanda, to neighbouring countries and to Europe, North America and the Middle East.

47. The investigative teams would travel throughout Rwanda, inter alia, to follow up on investigative leads, interview witnesses and visit mass graves to undertake forensic studies. Teams comprising three investigators, a local interpreter and a driver would be required to travel for a period of 5 to 10 days per trip and forensic studies of mass graves would involve travel from 30 to 60 days per trip.

48. Travel to neighbouring countries would be required, inter alia, to undertake investigative work, consultations with justice officials for the arrest of accused persons to be handed to the Tribunal, for transport of the accused from their countries to Arusha for detention and for requests for deferral by the national courts to the competence of the Tribunal.

49. Travel would be required to Europe, North America and the Middle East to undertake investigations of issues drawn to the attention of the Tribunal and of Rwandan citizens who were allegedly involved in the killings and to seek cooperation for support for the Tribunal.

Contractual services

50. An amount of $50,000 is requested to provide for laboratory analysis of forensic material. DNA analysis for confirmation of identity of a proportion of the individual remains would be carried out at centres outside Rwanda on an estimated 80 bodies at a cost of $500 per body ($40,000). Further, other laboratory testing services would be required in order to identify and date forensic evidence ($10,000).

C. The Registry

Activities

51. The Registry is responsible for the administration and servicing of the judicial infrastructure of the Tribunal and serves as its channel of communication. The functions of the Registry generally fall under two main areas of responsibility: judicial support and administration and financial services.

52. Judicial support services comprises legal and judicial support to the Chambers, the detention facilities, the witness protection unit and the court management.

53. Administrative and financial services includes the provision of all administrative and financial support at the headquarters of the Tribunal in Arusha and at the Office of the Prosecutor in Kigali.

1. Resource requirements

Staff costs

54. An amount of $5,619,300 is requested to provide for the salary and common staff costs of the continuation of 44 posts (1 ASG, 1 D-1, 1 P-5, 6 P-4, 4 P-3, 2 P-2/1, 2 General Service (Principal), 1 General Service (Other) and 26 Local Level), reclassification of 2 posts (1 P-5 to D-1 and 1 General Service (Principal) to General Service (Other)), and an additional 163 posts (4 P-4, 10 P-3, 10 P-2/1, 11 General Service (Other), 11 Field Service category, 37 internationally recruited Security Service officer and 80 Local Level posts).

55. The Office of the Registrar would include the Registrar (1 ASG), assisted by a personal assistant (1 General Service (Principal)) and a secretary recruited locally (1 Local Level). The Registrar would be directly responsible for the Press and Information Unit and Security and Safety Services.

56. In view of the increasing demand for information on the Tribunal, particularly since the first indictment was announced on 12 December 1995, it is proposed that a Press and Information Unit be established to include a Press and Information Officer (1 P-4), an assistant at the P-2 level and one clerk at the local level.

57. In line with the recommendations of the United Nations Security Coordinator, it is proposed that the Security and Safety Service would consist of a Chief of Security (1 P-4), two Deputies, one each in Kigali and Arusha (2 P-3), a Professional level Security Officer for the detention facility (1 P-3), 59 security posts (18 and 19 internationally recruited Security Officers in Kigali and Arusha respectively, plus 22 Local Level in Arusha). Further, it is proposed that perimeter security of the Tribunal's premises at Arusha and Kigali be provided by a locally contracted guard company. Secretarial support would be provided by two Local Level staff, one each in Kigali and Arusha.

58. At present overall security services for the Office of the Prosecutor in Kigali have been provided by the United Nations Assistance Mission for Rwanda (UNAMIR) in the form of one company of military personnel from the Ghanaian battalion. However, with the end of the mandate of UNAMIR as of 8 March 1996, alternative security arrangements are to be established.

2. Legal and Judicial Support Services

59. This service would enable the Registrar to provide substantive and procedural support to the Chambers and the Prosecutor, as appropriate. This support would include legal research, points of international or criminal law, judicial management and proceedings in *facia curiae*.

60. Under the general supervision of the Registrar, assisted by the Deputy Registrar (D-1), the service would include six legal officers responsible for: court management and judicial administration (1 P-5); international humanitarian law, criminal law and coordinating the work of legal clerks assisting the

Chambers, and general administrative legal issues (3 P-4); and judicial administration in the implementation of directives on the assignment of defence counsel and legal research including in the area of witness protection (2 P-3). Courtroom assistance and secretarial support would consist of four General Service (Other) and two Local Level posts, respectively.

3. Administrative and Financial Services

61. This service is the immediate responsibility of the Chief of Administration. He is responsible for supervising and coordinating the provision of all administrative and financial support to the three organs of the Tribunal in accordance with the Regulations and Rules of the United Nations and also provides advice to the Registrar on administrative and financial matters.

62. Immediate Office of the Chief of Administration. This office would include the post of Chief of Administration (1 D-1), two Administrative Officers at Kigali and Arusha (2 P-3) and four locally recruited secretarial/administrative support staff, one each in Arusha and Kigali and two based in New York (4 Local Level).

63. Budget and Finance Services. Resources requested for this unit would include a Chief of Finance (1 P-4), two Finance Officers (2 P-3) responsible for the Payments Unit and Accounts Unit, a Budget Assistant (1 General Service (Other)) and six Finance Assistants (1 General Service (Principal) level and 1 Local Level post in Kigali, and 1 General Service (Other) level and 3 Local Level posts in Arusha). Secretarial support to the Chief would be provided at the local level.

64. Personnel Services. The estimated requirements include a Chief of Personnel (1 P-4), a Deputy Chief (1 P-3) and a Personnel Officer in Kigali (1 P-2), and three locally recruited Personnel Assistants, one in Kigali and two in Arusha (3 Local Level). Secretarial support would also be provided by locally recruited staff, one each in Arusha and Kigali.

65. Procurement Services. Staff would include a Chief of Procurement (1 P-4), two Procurement Officers (2 P-2), one each in Arusha and Kigali, six Purchasing Assistants, three in Kigali (3 Local Level) and three in Arusha (2 Local Level and 1 General Service (Other)), as well as one post to provide secretarial support to the Chief of Procurement (1 Local Level).

66. General Services. This unit includes, inter alia, mail and pouch operations, travel, receipt and inspection of goods, property and inventory control, and distribution of supplies. Resources are requested for a Chief of General Services (1 P-4), three officers, two in Arusha and one in Kigali, responsible for registry, travel and property control and inventory (3 P-2), and 15 locally recruited General Service assistants, 5 in Kigali and 10 in Arusha, to provide specific assistance in such areas as property control, claims review, travel processing, reproduction and receiving and inspection (15 Local Level). In addition, one secretary at the local level would provide support to the Chief.

67. Building Management. Functions include supervising the construction, renovation and maintenance of the court facilities, the detention cells and the offices in Arusha and Kigali. The unit would be supervised by a Chief (1 P-3), assisted by two Professional Officers, one each in Arusha and Kigali (2 P-2), and four assistants, two each in Kigali and Arusha (4 Local Level). Secretarial support would be provided by a staff member at the local level.

68. Management Information Services (MIS/EDP). The unit is responsible for the provision of computer data-processing support to all offices of the Tribunal, including the installation, maintenance of local area networks (LAN), electronic archival systems, various databases maintained by the Tribunal and wide-area e-mail management once connectivity has been provided by the Communications Section. The resources requested would include a Chief (1 P-3), two Programme Assistant/Systems Analysts, one each in Arusha and Kigali (2 P-2), two LAN/e-mail administrators, one each in Arusha and Kigali (2 General Service) and three technician/installers, one in Arusha and two in Kigali (3 Local Level). The Chief would be supported by a secretary at the local level.

69. Communications Section. The section is responsible for establishing and maintaining secure and effective satellite communications between Arusha, Kigali, The Hague and New York, and radio communication systems in Arusha, Kigali and various other locations in Rwanda. Further functions include programming and maintaining the telephone exchange (PABX) and maintaining the video equipment used in the courtrooms and by the investigators. Resource requirements would included a Chief of Communications (1 Field Service), four radio operators for the communications centre (2 Field Service and 1 Local Level in Arusha and 1 Field Service in Kigali), four radio technicians (4 Field Service, 2 each in Arusha and Kigali) to maintain the satellite and PABX systems, in addition to the VHF and HF systems which support the security and logistics operations of the headquarters, three generator mechanics (1 Field Service and 1 Local Level) in Arusha and 1 Local Level in Kigali), two Local Level assistants to maintain the telephone billing unit, one each in Arusha and Kigali, two Local Level office equipment technicians, one at each location, two Local Level electricians (1 in each location), and a Local Level secretary for the Chief.

70. Transport Section. This section would be responsible for the monitoring and maintenance of vehicles in Arusha and Kigali. It would be headed by a Chief (1 P-3), assisted by two vehicle maintenance assistants, one each in Arusha and Kigali (2 Field Service), two supply stores clerks (2 General Service (Other)), a licensing and safety clerk (1 Local Level), two dispatch clerks (2 Local Level) and 14 mechanics/drivers (14 Local Level, 5 in Arusha and 9 in Kigali). In addition, one Local Level staff member would provide secretariat support to the section.

71. Library and Reference Unit. Functions include provision of services relating to the selection, acquisition and maintenance of documents and publications for the use of the Tribunal. Four posts are proposed: Chief (1 P-3) and three library clerks (3 Local Level).

72. Language and Conference Services Unit. Responsibilities consist of planning and servicing meetings, and providing interpretation and translation

services during the court proceedings and plenary sessions of the Tribunal. In addition to a Chief of Unit (1 P-4), and a Conference and Public Relations Officer (1 P-2), the unit would require a Proofreader, a Conference Assistant and a Text Processing Operator (3 at Local Level). An additional Local Level staff member would provide secretariat support to the unit.

Temporary assistance for meetings

73. An estimated amount of $352,000 is requested to cover the interpretation services of six interpreters (French and English) for the court sessions and plenary meetings in 1996 ($144,000) and for verbatim court reporters during the court proceedings ($208,000). Interpretation services for court sessions and plenary meetings would be provided on a temporary basis by Conference Services, Geneva.

General temporary assistance

74. Resources in the amount of $50,000 are requested for the hire of additional staff for short-term assignments during peak workload periods.

Consultants and experts

75. An amount of $25,000 is requested for the evaluation of security requirements at the detention centre, the offices in Arusha and Kigali, and in the courtrooms.

Personal service contracts

76. Resources estimated at $3 million are requested to provide for counsel to any accused unable to provide their own representation. The estimate is based on an assumption of 12 trials in 1996 at a cost of $250,000 per case - a cost based on the number of hours required by a lawyer to prepare for the case and actual court presentation before the Trial and the Appeal chambers.

Travel

77. Resources estimated at $600,000 are requested to provide for travel of (a) the Registrar to countries to deliver warrants of arrest to the Governments of countries of refuge of indicted persons; (b) the Registrar and the Chief of Administration to Kigali, New York and The Hague for liaison and other related duties; (c) witnesses for trials; and (d) the accused and the Defence Counsel.

Contractual services

78. A provision of $81,340 would cover the external printing requirements of the Tribunal ($2,500) and the services of a local guard company to provide perimeter security ($78,840).

Hospitality

79. An amount of $5,000 relates to the cost of official functions and hospitality.

D. Programme support

Resource requirements

Premises

80. Resources in the amount of $8,445,520 are requested for premises for 1996, of which $2,096,020 would provide for rental and maintenance of premises and $6,349,500 for construction and renovation costs.

81. Arusha. The Tribunal has entered into a lease agreement in Arusha with AICC for 3,992 square metres of the Conference Centre at $4.50 per square metre. In agreement with AICC, rent is only payable for the actual space occupied. It is anticipated that, by June 1996, the Tribunal will have taken up the full amount leased. In this regard, resources in the amount of $216,200 are requested.

82. As detailed in the report of the Secretary-General (A/C.5/49/68) on this item to the 49th session of the General Assembly, the full cost of constructing the courtrooms, holding cells and renovating the office space in AICC has been estimated at $5,549,500. However, owing to the late start of the Tribunal, the resources authorized for 1995 amounting to $3,057,000 were not utilized. Consequently, resources covering the full cost of constructing and renovating AICC in the amount of $5,549,500 are submitted in the present budget.

83. An amount of $800,000 is requested for detention facilities in Arusha. It is proposed that an existing unfurnished structure in the prison compound in Arusha would be completed for the 40 detention cells required by the Tribunal. The amount of $800,000 would provide for the construction of the 40 cells and security requirements at the detention facility.

84. Kigali. In Kigali, an amount of $194,500 is requested to provide for the cost of rental of the United Nations Children's Fund (UNICEF) building ($23,500 for three months) and the former headquarters of UNAMIR ($171,000 for nine months). Owing to the lack of sufficient office accommodation to accommodate the full team of the staff of the Office of the Prosecutor, consisting of approximately 200 staff members, the Tribunal held preliminary discussions with the Government of Rwanda to take over the UNAMIR headquarters accommodation (Amohoro Hotel) upon the withdrawal of the Mission. There has as yet been no firm commitment although there are indications that the Tribunal may rent the premises at a cost of $19,000 per month effective 1 April 1996.

85. Resources in the amount of $1,594,320 are requested to rent accommodation facilities at both of the two main hotels in Kigali to accommodate staff members in the area. This is based on the advice of the United Nations Security Coordinator that it would be prudent for staff of the Office of the Prosecutor

to live in one secure facility. Staff members utilizing these facilities would then be subject to a rental deduction in accordance with established rules of the Organization.

86. The Hague. An amount of $91,000 is requested for rental ($56,000) and minor alterations to increase security ($35,000) of temporary premises in The Hague for the documents processing centre, which is being transferred from Washington, D.C., in early 1996.

Utilities

87. Resources in the amount of $31,200 are requested to provide for utilities in Arusha and Kigali and for the office used by the Tribunal for Rwanda in The Hague. In accordance with the leasing agreement between the Tribunal for Rwanda and AICC, until such time as independent meters can be installed, the Tribunal will be charged a proportion of the cost of utilities used by AICC as a whole. In 1996 this amount is calculated at $20,000. In Rwanda, UNAMIR currently supplies the Tribunal with utilities at no cost. However, with the withdrawal of UNAMIR, it is estimated that the cost of fuel for generators will amount to $8,000, and for water $3,200.

Communications

88. A provision of $1,237,892 is requested for communications equipment ($913,100), spare parts and supplies ($84,792) and commercial communications ($240,000). The amount requested under this heading, together with those under furniture and equipment and vehicles, reflects the transfer of some items of equipment from UNAMIR. It is anticipated that further equipment would be transferred from the Mission to the Tribunal at the conclusion of the Mission.

General operating expenses

89. Mail and pouch services. Resources in the amount of $24,100 are requested for pouch ($6,400) and courier ($12,600) services and international mail ($5,100).

90. Freight. An amount of $120,000 would provide for the services of a freight forwarder to effect clearance, international freight movement and storage and ramp operation, in particular for cargo delivered by sea to Dar-es-Salaam.

91. Miscellaneous. Estimated resources of $159,900 relate to periodicals and journals ($1,000), household items and sanitation supplies such as garbage bags and cleaning materials ($12,000), bank charges and legal fees ($6,000), external audit ($45,500), spare parts and repair ($10,000), medical services ($12,000), clothing ($6,000) and food ($58,400) for the detainees and other miscellaneous items ($9,000).

Supplies and materials

92. The resources requested ($495,000) would provide for office stationery ($240,000), computer consumables ($60,000), audiovisual supplies ($60,000),

autopsy tents and related supplies ($70,000), archaeological and anthropological supplies ($25,000), body bags ($50,000), and film and film processing ($60,000).

Furniture and equipment

93. An amount of $2,258,912 is requested to provide for special photographic equipment ($25,000), a global positioning device for mass grave mapping ($10,000), office equipment and specialized equipment used by the Graphics/ Reproduction Unit ($181,160), miscellaneous equipment such as cameras ($81,312) and security and safety equipment ($158,000), standby generators for the offices in Arusha and Kigali and the detention cells ($236,600), EDP equipment ($1,444,340) and office furniture ($122,500).

Vehicles

94. Resources requested ($2,699,186) relate to the acquisition of vehicles ($2,354,050), spare parts, repair and maintenance ($200,836), workshop equipment ($20,000), petrol, oils and lubricants ($106,900), and vehicle insurance ($17,400).

V. VOLUNTARY CONTRIBUTIONS

95. The General Assembly, in its resolution 49/251, invited Member States and other interested parties to make voluntary contributions to the Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General.

Contributions

96. A number of Member States have contributed to the Voluntary Fund to support the activities of the International Tribunal for Rwanda. As of February 1996, cash contributions received amount to $5.2 million.

97. Further, as of January 1996, contributions in the form of loan of personnel have been received from Denmark (2), the Netherlands (19), Norway (3), Sweden (3), Switzerland (3), the United Kingdom of Great Britain and Northern Ireland (5) and the United States of America (3). These personnel continue to assist with investigations and serve as legal and expert advisers. Experts are currently assigned to the strategy and investigative teams of the Investigations Section, as well as in advisory capacity in the Prosecutor's Secretariat and the Legal Services Section.

98. A number of Member States have also made contributions in kind to the Tribunal. The United States has made contributions in kind in the form of equipment and associated training for the staff of the Office of the Prosecutor, of a value of approximately $2,300,000. Additional contributions have also been received by the Office of the Prosecutor in the form of equipment (video cameras and computers) from the United Kingdom, valued at approximately $31,700, the Open Society Institute ($105,000) and the Rockefeller Foundation ($50,000).

Use of Trust Fund resources

99. Owing to the late start of the Tribunal, expenditures from Trust Fund resources have been slower than expected. However, it is proposed to utilize the resources from the Trust Fund for two specific projects: (a) witness protection scheme; and (b) aircraft charter.

100. Witness protection scheme. It is proposed to utilize resources from the Trust Fund to engage the services of consultants to establish a programme of protection of witnesses and during its initial stage of implementation. The protection of witnesses, many of whom have suffered traumatic experiences and may have fled to other countries, is of prime importance to the Tribunal. Their testimonies are important and crucial to the Prosecution. However, witnesses may be reluctant to make any statements to the investigators or attend the court hearings of the Tribunal for fear of their safety and that of their immediate families, and thus an appropriate scheme for their protection is proposed.

101. Travel between Kigali and Arusha. In accordance with the decision of the Security Council, the Office of the Prosecutor for the Tribunal is established in Kigali, Rwanda, and the seat of the Tribunal in Arusha, United Republic of Tanzania. At present, flights between Kigali and Arusha are via Nairobi, Dar-es-Salaam or Entebbe. Investigators and prosecutors are frequently required to travel, often at short notice, between Kigali and Arusha. In addition, secure and direct transportation would be required to transfer the accused, to move witnesses and victims, and for the Tribunal personnel to hold consultations with countries in the region. Consequently, the Tribunal proposes to lease, on an annual basis, a small aircraft for travel between Arusha and Kigali.

VI. SUMMARY

102. On the basis of the proposals detailed in the preceding paragraphs, it is estimated that resources in the amount of $38,770,900 (net) will be required for the operation of the International Tribunal for Rwanda in 1996. This estimate is inclusive of the amount of $7,090,600 (net), previously authorized for the period from 1 January to 31 March 1996 by the Advisory Committee on Administrative and Budgetary Questions. An additional amount of $2,459,700 would be required for staff assessment, to be offset by income from staff assessment of the same amount.

103. It is assumed that the current mode of financing of the Tribunal, through a cost-sharing arrangement in accordance with the scale of assessment for the year 1996 and the credits arising from the budget of UNAMIR, will remain operative until reviewed by the General Assembly.

ANNEX

Table 1. Summary of estimates for the period 1 January to 31 December 1996 by object of expenditure

(Thousands of United States dollars)

Object of expenditure	1995 appropriation	1995 expenditures	1996 estimates
Salaries and allowances and common costs (judges)	325.1	14.0	941.0
Temporary posts	2 668.5	948.6	15 879.8
Temporary assistance for meetings	165.0	-	352.0
General temporary assistance	299.3	-	50.0
Personal service contracts	-	-	3 000.0
Consultants	197.0	15.2	1 509.0
Travel	1 080.3	567.3	1 441.1
Contractual services	115.0	3.9	131.3
Hospitality	5.0	0.6	5.0
Premises	4 790.0	57.0	8 445.5
Utilities	50.0	-	31.2
Communications	2 518.7	15.5	1 237.9
General operating expenses	82.7	1.8	304.0
Supplies and materials	118.4	4.6	495.0
Furniture and equipment	306.3	17.4	2 009.6
Miscellaneous equipment	138.0	-	239.3
Vehicles	55.6	-	2 699.2
Total	12 914.9	1 645.9	38 770.9

Table 2. Estimates by object of expenditure

(Thousands of United States dollars)

A. The chambers

Object of expenditure	1995 appropriation	1995 expenditures	1996 estimates
Salaries and allowances (judges)	88.2	14.0	797.3
Common costs (judges)	236.9	-	143.7
Temporary posts	30.0	-	282.2
Consultants	-	-	30.0
Travel	30.0	18.7	91.1
Total A	385.1	32.7	1 344.3

B. Office of the Prosecutor

Object of expenditure	1995 appropriation	1995 expenditures	1996 estimates
Temporary posts	2 120.3	531.7	9 978.3
Consultants	173.3	-	1 454.0
Travel	1 037.8	466.1	750.0
Contractual services	100.0	1.5	50.0
Total B	3 431.4 a/	999.3	12 232.3

C. The Registry

Object of expenditure	1995 appropriation	1995 expenditures	1996 estimates
Temporary posts	518.2	416.9	5 619.3
Temporary assistance for meetings	165.0	-	352.0
General temporary assistance	299.3	-	50.0
Consultants	23.7	15.2	25.0
Personal service contracts	-	-	3 000.0
Travel	12.5	82.5	600.0
Contractual services	15.0	2.4	81.3
Hospitality	5.0	0.3	5.0
Total C	1 038.7	517.6	9 732.6

/...

D. Programme support

Object of expenditure	1995 appropriation	1995 expenditures	1996 estimates
Premises	4 790.0	57.0	8 445.5
Utilities	50.0	-	31.2
Communications	2 518.7	15.5	1 237.9
General operating expenses	82.7	1.8	304.0
Supplies and materials	118.4	4.6	495.0
Furniture and equipment	306.3	17.4	2 009.6
Miscellaneous equipment	138.0	-	239.3
Vehicles	55.6	-	2 699.2
Total D	8 059.7	96.3	15 461.7

a/ Requirements related to general operating expenses, supplies and materials and miscellaneous equipment have been consolidated under section D, Programme support.

Table 3 Staffing structure for 1995 and 1996

	ASG	D-2	D-1	P-5	P-4	P-3	P-2/1	Total	Principal level	General Service	Local level	Field Service	Security Service	Total	Grand total
A. Chambers															
1995	-	-	-	-	-	-	-	0	-	-	3		-	3	3
1996	-	-	-	-	-	-	6	6	-	6	-	-	-	6	12
B. Office of the Prosecutor															
1995	-	1	4	3	10	50	32	100	-	2	12	-	-	14	114
1996	-	1	1	7	34	58	52	153	2	28	-	-	-	30	183
C. Registry															
1995	1	-	1	2	6	4	2	16	3	1	26	-	-	30	46
1996	1	-	2	1	10	14	12	40	2	13	106	11	37	169	209
Total															
1995 a/	1	1	5	5	16	54	34	116	3	3	41	0	0	47	163
1966	1	1	3	8	44	72	70	199	4	47	106	11	37	205	404

a/ Included 20 Local Level Security Officers.

Table 4. Distribution of posts for 1996

Description	Arusha	Kigali	The Hague a/	Total
A. Chambers				
Legal Assistants	6 P-2			6 P-2
Secretarial support	6 GSO*			6 GSO
Total, A	12	-	-	12
B. Office of the Prosecutor				
B.1 Immediate Office of the Prosecutor				
Coordinator			1 P-3	1 P-3
Personal Assistant to the Prosecutor			1 GSP*	1 GSP
Secretarial support			1 GSO	1 GSO
B.2 Investigations Section				
Director of Investigation		1 D-1		1 D-1
(a) Investigation Team				
Investigator Commander		3 P-5		3 P-5
Team Leader		9 P-4		9 P-4
Legal Expert		9 P-4		9 P-4
Investigator		27 P-3		27 P-3
Investigator		27 P-2		27 P-2
Secretarial support		6 GSO		6 GSO
(b) Strategy Team				
Investigator		1 P-4		1 P-4
Investigator		3 P-3		3 P-3
Investigator		2 P-2		2 P-2
(c) Forensic Unit				
Medico-Legal Investigation Director		1 P-4		1 P-4
Senior Forensic Investigator		1 P-4		1 P-4
Statistical/Demographic Adviser		1 P-4		1 P-4
Forensic Investigator		1 P-3		1 P-3
(d) Interpretation Services				
Translator/Interpreter		10 P-4		10 P-4
Translator/Interpreter		19 P-3		19 P-3
Translator/Interpreter		8 P-2		8 P-2
Proofreader		1 GSP		1 GSP
Text Processing Operator		1 GSO		1 GSO

Description	Arusha	Kigali	The Hague a/	Total
B.3 Prosecution Section				
Deputy Prosecutor		1 D-2		1 D-2
International Legal Expert		1 P-5		1 P-5
Trial Attorney		3 P-5		3 P-5
Assistant Trial Attorney		3 P-3		3 P-3
Case/Witness Liaison Officer		4 P-2		4 P-2
Secretarial support		6 GSO		6 GSO
B.4 Information and Records Management Section				
Chief, Information Centre			1 P-4	1 P-4
Records Management Officer	1 P-3	1 P-3	1 P-3	3 P-3
Records Management Officer	1 P-2	1 P-2	1 P-2	3 P-2
Data Processor			8 P-2	8 P-2
Clerical support (data entry, etc.)	2 GSO	2 GSO	10 GSO	14 GSO
B.5 Legal Services Section				
Legal Officer			1 P-4	1 P-4
Legal Officer			1 P-3	1 P-3
Total, B	4	153	26	183
C. Registry				
C.1 Office of the Registrar				
Registrar	1 ASG			1 ASG
Personal Assistant	1 GSP			1 GSP
Secretarial support	1 LL*			1 LL
(a) Press and Information Unit				
Press and Information Officer	1 P-4			1 P-4
Assistant Press and Info. Officer	1 P-2			1 P-2
Clerical support	1 LL			1 LL
(b) Security and Safety Services				
Chief of Security	1 P-4			1 P-4
Deputy	1 P-3	1 P-3		2 P-3
Security Officer (detention facility)	1 P-3			1 P-3
Security Officer	19 SS*	18 SS		37 SS
Security Officer	22 LL			22 LL
Secretarial support	1 LL	1 LL		2 LL

	Description	Arusha	Kigali	The Hague a/	Total
C.2	Legal and Judicial Support Services				
	Deputy Registrar	1 D-1			1 D-1
	Legal Officer (court administration)	1 P-5			1 P-5
	Legal Officer	3 P-4			3 P-4
	Legal Officer	2 P-3			2 P-3
	Courtroom Assistant	4 GSO			4 GSO
	Secretarial support	2 LL			2 LL
C.3	Administrative and Financial Services				
(a)	Office of the Chief of Administration				
	Chief Administrative Officer	1 D-1			1 D-1
	Administrative Officer	1 P-3	1 P-3		2 P-3
	Secretarial support	1 LL	1 LL		2 LL
	Clerical support	2 GSO b/			2 GSO
(b)	Budget and Finance Services				
	Chief, Finance	1 P-4			1 P-4
	Finance Officer	2 P-3			2 P-3
	Budget Assistant/Finance Assistant	2 GSO			2 GSO
	Finance Assistant	3 LL	1 LL		4 LL
	Finance Assistant		1 GSP		1 GSP
	Secretariat support	1 LL			1 LL
(c)	Personnel Services				
	Chief, Personnel	1 P-4			1 P-4
	Deputy	1 P-3			1 P-3
	Personnel Officer		1 P-2		1 P-2
	Personnel Assistant	2 LL	1 LL		3 LL
	Secretarial support	1 LL	1 LL		2 LL
(d)	Procurement Services				
	Chief, Procurement	1 P-4			1 P-4
	Procurement Officer	1 P-2	1 P-2		2 P-2
	Purchasing Assistant	2 LL	3 LL		5 LL
	Purchasing Assistant	1 GSO			1 GSO
	Secretarial support	1 LL			1 LL
(e)	General Services				
	Chief, General Services	1 P-4			1 P-4

	Description	Arusha	Kigali	The Hague a/	Total
	Associate Officer	2 P-2	1 P-2		3 P-2
	General Services Assistant	10 LL	5 LL		15 LL
	Secretarial support	1 LL			1 LL
(f)	Building Management				
	Chief, BMS	1 P-3			1 P-3
	Associate Officer	1 P-2	1 P-2		2 P-2
	BMS Assistant	2 LL	2 LL		4 LL
	Secretarial support	1 LL			1 LL
(g)	Management Information Services (MIS/EDP)				
	Chief, MIS/EDP	1 P-3			1 P-3
	Programme Assistant/Analyst	1 P-2	1 P-2		2 P-2
	LAN/e-mail Administrator	1 GSO	1 GSO		2 GSO
	Technician/Installer	1 LL	2 LL		3 LL
	Secretarial support	1 LL			1 LL
(h)	Communications Section				
	Chief, Communications	1 FS*			1 FS
	Radio Operator	2 FS	1 FS		3 FS
	Radio Operator	1 LL			1 LL
	Radio Technician	2 FS	2 FS		4 FS
	Generator Mechanic	1 FS			1 FS
	Generator Mechanic	1 LL	1 LL		2 LL
	Telephone Billing Clerk	1 LL	1 LL		2 LL
	Office Equipment Technician	1 LL	1 LL		2 LL
	Electrician	1 LL	1 LL		2 LL
	Secretarial support	1 LL			1 LL
(i)	Transport Section				
	Chief	1 P-3			1 P-3
	Vehicle Maintenance	1 FS	1 FS		2 FS
	Supply Store Clerk	1 GSO	1 GSO		2 GSO
	Secretarial/Clerical support	4 LL			4 LL
	Mechanic/Driver	5 LL	9 LL		14 LL
(j)	Library and Reference Unit				
	Chief	1 P-3			1 P-3
	Library clerks	3 LL			3 LL

	Description	Arusha	Kigali	The Hague a/	Total
(k)	Language and Conference Services Unit				
	Chief	1 P-4			1 P-4
	Conf. and Public Relations Officer	1 P-2			1 P-2
	Proofreader	1 LL			1 LL
	Conference Assistant	1 LL			1 LL
	Text Processing Officer	1 LL			1 LL
	Secretarial support	1 LL			1 LL
	Total, C	147	62	-	209
	GRAND TOTAL: A+B+C	163	215	26	404

* Note: LL = Local Level
GSP = General Service (Principal level)
GSO = General Service (Other level)
FS = Field Service
SS = Security Service

a/ Temporary office.

b/ Based in New York.

c/ In Arusha and Kigali, GSO and GSP denote internationally recruited.